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Letter dated 13 January 2009 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

I have the honour to address you in my capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement, with regard to the serious situation in the Gaza Strip.

The members of the Non-Aligned Movement continue to follow the course of events on the ground with deep concern and firmly condemn the military aggression by Israel, the occupying Power, against the Gaza Strip.

This brutal Israeli military aggression against the Palestinian civilian population in the Gaza Strip constitutes a grave breach of international law, including humanitarian and human rights law, and is causing vast suffering among the Palestinian civilian population.

The Non-Aligned Movement condemns in the strongest terms Israel's blatant disregard of Security Council resolution 1860 (2009), which was adopted by the Council on 8 January 2009 and which calls, inter alia, for an immediate ceasefire, and its flagrant defiance of the repeated calls from the international community for a complete cessation of military activities and of the serious regional and international diplomatic efforts under way to resolve the current crisis.

The Non-Aligned Movement calls for the immediate implementation of Security Council resolution 1860, including in particular its call for an immediate ceasefire leading to the withdrawal of the Israeli occupying forces from Gaza and for measures to address the pressing humanitarian and economic needs of the Palestinian people, including by the sustained and permanent opening of Gaza's border crossings to ensure the free access of humanitarian aid and other essential supplies and goods and to facilitate the passage of persons to and from the Gaza Strip.

Please find attached a copy of the statement issued today by the Coordinating Bureau of the Non-Aligned Movement, with respect to the non-compliance by Israel of Security Council resolution 1860 (2009) and the escalation of the military aggression by Israel against the Gaza Strip (see annex).

I kindly request you to distribute the present letter and its annex as a Security Council document.

(*Signed*) Abelardo **Moreno**
Ambassador
Permanent Representative of Cuba to the United Nations
Chairman of the Coordinating Bureau of
the Non-Aligned Movement

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Annex to the letter dated 13 January 2009 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council

Statement by the Coordinating Bureau of the Non-Aligned Movement on the non-compliance of Israel with Security Council resolution 1860 (2009) and the escalation of the Israeli military aggression against the Gaza Strip

The Coordinating Bureau of the Non-Aligned Movement (NAM) met at United Nations Headquarters in New York on 12 January 2009 and considered the grave situation in the Occupied Palestinian Territory, particularly in the Gaza Strip, as a result of the massive military aggression that continues to be carried out by Israel, the occupying Power, against the Palestinian civilian population.

NAM reiterates its strong condemnation of the massive military aggression being carried out by Israel against the Palestinian civilian population in the besieged Gaza Strip.

NAM condemns in the strongest terms Israel's blatant disregard of Security Council resolution 1860 (2009), which was adopted by the Council on 8 January 2009 and which calls, inter alia, for an immediate ceasefire, and its flagrant defiance of the repeated calls from the international community for a complete cessation of military activities.

NAM calls for the immediate implementation of Security Council resolution 1860, including in particular its call for an immediate ceasefire leading to the withdrawal of the Israeli occupying forces from Gaza as well as for measures to address the pressing humanitarian and economic needs of the Palestinian people in the Gaza Strip, including by the sustained and permanent opening of Gaza's border crossings fully in accordance with the terms and provisions of resolution 1860, to ensure the free access of humanitarian aid and other essential supplies and goods and to facilitate the passage of persons to and from the Gaza Strip.

NAM reiterates that this brutal Israeli military aggression against the Palestinian civilian population in the Gaza Strip constitutes a grave breach of international law, including humanitarian and human rights law, and is causing vast suffering among the Palestinian civilian population, fuelling the cycle of violence and threatening international peace and security as well as the fragile peace process between the two sides.

NAM reiterates its deep regret at the vast loss of innocent lives and injury being caused to Palestinian civilians by this brutal Israeli military campaign as well as at the extensive destruction being caused to homes, properties and infrastructure in the Gaza Strip. In this regard, NAM expresses its deepest condolences to the grieving Palestinian people as they mourn the loss of more than 900 Palestinians killed, including more than 280 children, and the more than 4,000 Palestinians injured, including more than 1,200 children, by the occupying forces in the Gaza Strip.

NAM once again expresses its grave concern at the widespread suffering and trauma being inflicted on the Palestinian civilian population and at the deepening human tragedy and humanitarian disaster unfolding in the Gaza Strip as a result of

the continuing military actions by Israel, the occupying Power, against the civilian population as well as its ongoing blockade of Gaza, obstructing the movement of persons and goods, including of humanitarian personnel and vital humanitarian supplies, including of desperately-needed food, medicines, and fuel, into, out of and throughout the Gaza Strip in collective punishment of the civilian population.

In light of the continuation of this illegal and unacceptable situation, NAM thus urgently calls once again for an immediate cessation of all military activities and violence. NAM calls for all efforts to be exerted to compel Israel, the occupying Power, to cease this aggression and to scrupulously abide by all of its obligations under international law and relevant United Nations resolutions. In this regard, the Movement demands that Israel unconditionally comply with its obligations as the occupying Power under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

Moreover, in light of the dire situation being faced by the Palestinian civilian population under Israeli occupation and aggression in the Gaza Strip, NAM reiterates its calls for the immediate provision of protection for the Palestinian civilian population in the Gaza Strip in accordance with the relevant provisions of international humanitarian law.

NAM expresses its serious concerns regarding the extensive difficulties being faced by medical and rescue workers in the Gaza Strip in evacuating and treating civilians wounded and in need of emergency medical treatment due to Israel's continued targeting and obstruction of ambulances and rescue workers and due to severe shortages in medical supplies and the disrepair and unavailability of the necessary equipment to respond to this critical situation, which is exacerbating the suffering of the civilian population. In this regard, NAM expresses its strong condemnation regarding Israel's targeting and killing of United Nations humanitarian personnel, including UNRWA personnel, working tirelessly to deliver humanitarian aid to the Palestinian people, and calls upon the occupying Power to respect international law and the Convention on Privileges and Immunities of the United Nations.

NAM stresses the need for intensified and coordinated efforts by the international community to bring an end to this crisis and to exert all necessary efforts to support and promote the peace process as well as to ensure respect for international law, including international humanitarian and human rights law, the key to a peaceful settlement of the Palestinian-Israeli conflict and the Arab-Israeli conflict as a whole, as the sole means to guarantee a lasting peace in the region.

NAM expresses its support for all diplomatic and political efforts and initiatives being exerted at the international and regional levels to address this crisis, including by the United Nations system, stressing once again that there is no military solution to this crisis or to the Israeli-Palestinian conflict as a whole.

NAM supports and calls for the full implementation of Human Rights Council resolution on the grave violations of human rights in the Occupied Palestinian Territory, particularly due to the Israeli military attacks against the occupied Gaza Strip, adopted on Monday, 12 January 2009, and the speedy dispatch of the independent international fact-finding mission called for therein to investigate violations of human rights and of international law by Israel.

The Movement will actively consider all possible actions in order to guarantee the investigation and prosecution of all those responsible for crimes against the civilian population in Gaza. In this regard, NAM stresses that criminal justice must take its course.

NAM also underscores that the General Assembly, the most democratic and representative body of the United Nations, has the duty to duly respond to the concerns of the international community regarding the crisis situation in the Gaza Strip as a result of the Israeli military campaign and add its voice and weight to that of the Security Council in calling for an immediate ceasefire and for respect by the occupying Power of its obligations under international law, including humanitarian and human rights law.

In that context, NAM supports the convening of the resumed tenth emergency special session of the General Assembly at the earliest possible date and requests the President of the General Assembly to begin forthwith the process of consultations to that effect.

NAM stresses the urgency of continued efforts by the international community and relevant United Nations organs and specialized agencies to effectively address the many political, humanitarian, socio-economic and security ramifications of this crisis.

At this critical time, the Movement specifically calls upon the international community to make a special effort to prevent a humanitarian catastrophe in Gaza, including by extending emergency assistance to meet the urgent requirements of the population of Gaza. The Movement also calls upon the international community to pledge the necessary assistance to rebuild the infrastructure of Gaza at the earliest feasible juncture, and the economy of Gaza as well as the rest of the Occupied Palestinian Territory. The Movement underlines that the international community must invest in the recovery and development of economic infrastructure and capacity of the Occupied Palestinian Territory, which would contribute to an environment conducive for the resumption of the peace process.

The Movement reaffirms its commitment to a peaceful solution of the Israeli-Palestinian conflict and to the right of the Palestinian people to exercise self-determination and sovereignty in their independent State of Palestine, on the basis of the 1967 borders, with East Jerusalem as its capital.

New York, 13 January 2009